

REMARKS

Claims 1-8, 10-22, and 33 are pending. Claims 1, 12, 14, 21, and 33 have been amended. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

In the Specification

The title of the invention was objected to as allegedly being non-descriptive. Applicants have amended the title to be more descriptive. Accordingly, Applicants respectfully request withdrawal of this objection.

Claim Rejections Under 35 U.S.C. § 112

Claims 14-20 and 22 were rejected under 35 U.S.C. § 112, second paragraph. Specifically, the Office Action asserts that these claims are indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully disagree. As described in the specification (for example page 56), the buffer area is determined based on a predetermined map, it is not necessarily a predetermined area. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-8, 10-22, and 33 were rejected under 35 U.S.C. § 103(a) over Widl (U.S. Patent No. 5,721,678) in view of Sakurai et al. (U.S. Patent No. 5,675,494). Applicants respectfully traverse this rejection.

Claims 1, 12, 14, 21, and 33 each recite, in part, a buffer area, which is defined by a first boundary line of a charge applicable area and a second boundary line around the first boundary line. As admitted in the Office Action, Widl fails to teach a buffer area. The Office Action relies on Sakurai for as allegedly teaching the claimed buffer area. Sakurai teaches a toll collection system with local infrastructure (e.g., the roadside units). Because of the roadside units, it is necessary for the system described in Sakurai to activate a predetermined time (Tacs) where a toll charge command is prohibited. In contrast, the claimed invention describes a buffer area with a first boundary adjacent a charge applicable area and a second boundary around the first boundary. By establishing boundaries it is possible to also minimize the effects of errors in GPS positioning (as described in the specification at page 56 and in Figures 10 and 11). Sakurai does not teach or suggest a buffer area with first and

second boundaries and Widl does not remedy at least this deficiency. Accordingly, no combination of Widl and Sakurai teach or suggest a buffer area, which is defined by a first boundary line of a charge applicable area and a second boundary line around the first boundary line, as recited in claims 1, 12, 14, 21, and 33.

Claims 2-8, 10, 11, 13, 15-20, and 22 are believed allowable for at least the same reasons presented above with respect to claims 1, 12, 14, and 21 by virtue of their dependence upon claims 1, 12, 14, and 21. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Conclusion

In view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Please charge any fees associated with the submission of this paper to Deposit Account Number 03-3975 under Order No. 41194/279165. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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